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17:29

GS 0466 A US

REMARKS

Claims 15 and 17 have been canceled without prejudice or disclaimer. Accordingly the objection to the drawings and to the specification, each of which was based upon elements recited in those claims, is now moot.

Claim 14 has been placed in independent form and is therefore now formally allowable. Additionally, new claims 18 through 21 have been added to recite further structural details of the rack and the associated receptacle.

Claims 1, 3 through 9, 11 through 13, and 15 through 17 were rejected as anticipated by the Fischer et al. '178 patent. In the course of the reasoning underlying that rejection, the structure shown in Figure 13 of the Fischer et al. was referred to, and the element identified by reference numerals 1010 and 1013 was said to be "a toothed rack (or notched bar)." However, the Fischer et al. specification clearly and consistently identifies element 1010 of Figure 13 as a feed screw (see Fischer et al., col. 28, lines 36 and 37; line 57; lines 65 and 66; and col. 29, lines 1 and 2; line 11; line 15; line 23; line 27; line 29; lines 45 and 46), not either as a rack or as a notched bar. Moreover, that element is clearly a screw and not a mere notched bar.

One having only ordinary skill in the art would readily appreciate that a feed screw has an entirely different structure than a toothed rack. Such a person would know that a feed screw has a helical thread that is defined by a continuous helical ridge, whereas a toothed rack has a series of spaced, parallel teeth that ar not continuous and are not a helical thread, but instead extend

GS 0466 A US

over only a part of the outer surface and in a direction across the rack longitudinal axis, having the structure illustrated opposite the arrow extending from reference numeral 10 in Figure 1 of the present application. Thus, by no stretch of the imagination can one consider Fischer et al.'s element 1010 to be a toothed rack. In that regard, attached hereto are photocopies of pages 1111 and 1205 of the *Random House Webster's College Dictionary*, copyright 1995, which show the ordinary definitions of the terms "rack" and "screw," respectively, and which clearly distinguish the two types of structures. In that regard, the general rule is that the meaning given to a claim term is its ordinary meaning, unless it is specifically defined to be otherwise in the specification. Here, the specification does not specifically define the term "toothed rack," and therefore the ordinary dictionary definition applies. And that definition clearly differentiates it from a screw.

In addition to the rack-screw distinction, reference was made in the Office Action to element 1009, which the Fischer et al. reference clearly identifies as a nut (see Fischer et al., col. 28, line 36). And the reference refers to nut 1009 as "an internally threaded sleeve-like axial extension of the gear 1006" (see Fischer et al., col. 29, lines 9 and 10). Thus it is the nut 1009 that engages with the feed screw 1010, and the nut rotates while the screw is non-rotatable (see Fischer et al., col.29, lines 11 through 17). In the present invention as claimed in claim 1, however, it is a gear that is in meshing engagement with the toothed rack, not a nut having a screw thread. Consequently, the Fischer et al. reference does not anticipate the invention as claimed in claim 1 because, firstly, the

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reference discloses scr w - it does not disclose a toothed rack as claimed in claim 1, and, secondly, the reference discloses a threaded nut that surrounds and threadedly engages the screw - it does not disclose a gear that is in meshing engagement with the toothed rack as claimed in claim 1.

Finally with respect to anticipation, the Court of Appeals for the Federal Circuit has held as follows regarding what a reference must show in order for it to be considered as an anticipation of a claimed invention:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. See, e.g., Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 715, 223 U.S.P.Q. (BNA) 1264, 1270 (Fed. Cir. 1984); Connell, 722 F.2d at 1548, 220 U.S.P.Q. (BNA) at 198; Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 771, 218 U.S.P.Q. (BNA) 781, 789 (Fed. Cir. 1983), cert. denied, 465 U.S. 1026, 79 L. Ed. 2d 687, 104 S. Ct. 1284, 224 U.S.P.Q. (BNA) 520 (1984). Verdegaal Brothers Inc. v. Union Oil Co., 814 F.2d 628 (Fed. Cir. 1987)

and,

"For a prior art reference to anticipate in terms of 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference." Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 677, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988). These elements must be arranged as in the claim under review, Lindemann Maschinenfabrik v. American Hoist & Derrick Co., 730 F.2d 1452, 1458, 221 USPQ 481, 485 (Fed. Cir. 1984). In re Bond, 910 F.2d 831 (Fed. Cir. 1990).

For the reasons noted above, the Fischer et al. reference does not identically show every element of the invention as it is claimed in claim 1, and therefore that reference does not anticipate the invention as it is claimed.

Claims 3 through 9, 11 through 13, and 16 each depend from claim

GS 0466 A US

1. either directly or Indirectly, and therefore thos claims are distinguishable over the Fischer et al. reference for the same reasons as are given above with respect to claim 1. Additionally, those dependent claims recite additional structural features that further distinguish the invention as so claimed in those claims from the teachings of the Fischer et al. reference.

Claim 2 was rejected as obvious over the Fischer et al. reference, and claim 10 was rejected as obvious over the Fischer et al. reference when combined with the disclosure of the Schulz-Andres reference. In that regard, the Fischer et al. reference is disqualified as §103 prior art on the ground that at the time the present invention was made the subject matter of the Fischer et al. reference and the claimed invention were commonly owned (see M.P.E.P. §706.02(I)(1)). The present invention was and is owned by LuK Lamellen und Kupplungsbau Beteiligungs KG, Industriestrasse 3, Bühl, Federal Republic of Germany, as evidenced by an Assignment from the inventors, recorded in the Assignment Records at Reel 012694, Frame 0845 (a copy of the official Notice of Recordation of Assignment, document dated May 16, 2002, is of record herein and was attached to the Amendment After Final Rejection, filed on October 29, 2003). The Fischer et al. patent is owned by LuK GETRIEBESYSTEME GmbH, of Industriestrasse 3, Bühl/Baden, Germany 77815, as evidenced by the attached PATENT ASSIGNMENT ABSTRACT OF TITLE for the Fischer et al. patent.

Also attached is a German-language document entitled "Öffentliche Urkunde über Gesellschaftsvertrag der LuK G triebe-Systeme GmbH mit dem

17:29

Sitz in Bühl," which translat d into English is: Public Document regarding Articles of Association of LuK Getriebe-Systeme GmbH with its seat in Bühl." The document is a declaration by Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) of the creation of a wholly-owned subsidiary by the name of LuK Getriebe-Systeme GmbH, which is the owner by assignment of the Fischer et al. patent. The middle paragraph on page 2 of that document when translated into English reads in substance: Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) hereby establishes a limited liability company and confirms with this written record as an enclosure the attached articles of association. Thus, Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) owns 100% of LuK Getriebe-Systeme GmbH.

In January 2001 Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) changed its name to Luk Lamellen und Kupplungsbau Beteiligungs KG, as evidenced by the official change of name that was recorded in the Assignment Records on May 21, 2002 (see the attached Notice of Recordation of Assignment document dated July 29, 2002). Also attached is a copy, in German, of a page from the Register of Companies of the Local Court of Baden-Baden, Germany, relative to the change of name, along with an English-language translation of that document. The enclosed documents, collectively, establish the common ownership of the subject matter of the Fischer et al. patent and of the present invention.

In view of the above, and based upon the provisions of 35 U.S.C.

§103(c), the Fisch r t al. patent is not an effective reference against the present application because it is commonly owned by the owner of the present application. Under §103(c) of the patent statute, subject matter in a reference that is commonly owned by the owner of an application does not preclude patentability, and therefore the Fischer et al. patent is not an effective reference against the present application.

Applicants' attorney notes with appreciation the indication of allowability of the subject matter of claim 14, which has been placed in independent form to render it allowable. However, in addition to claim 14, the other claims remaining in the application are also believed to be allowable.

Based upon the foregoing amendments and remarks, the claims as they now stand in the application are believed clearly to be in allowable form in that they patentably distinguish over the disclosures contained in the references that were cited and relied upon by the examiner, whether those references be considered in the context of 35 U.S.C. § 102 or of 35 U.S.C. § 103. Additionally, the Fischer et al. patent is not an effective reference against the present application. Consequently, this application is believed now to be in condition for allowance, and reconsideration and reexamination of the application is respectfully requested with a view toward the Issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

GS 0466 A US

Respectfully submitted,

March 31, 2004

17:29

Alfred J. Mangels Reg. No. 22,605 4729 Cornell Road Cincinnati, Ohio 45241 Tel.: (513) 469-0470

Attachments:

Random House Webster's College Dictionary, page 1111;
Random House Webster's College Dictionary, page 1205:
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT, dated May 16, 2002.
PATENT ASSIGNMENT ABSTRACT OF TITLE for Patent NO. 5,954,178;
"Offentliche Urkunde" (in German);
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT, dated July 29, 2002;
Handelsregister (in German); and
Register of Companies (translation).

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found in grape juice. (< ℓ (acide) racemique (1828) < L racem(us) (see excust) + ℓ -ique -uc)

RACEMENT F - AGUE - 4C)

18C-MINIZENTION (183'0 ma Zār'shan, 18 sēr'ma-, 19-), 11. The conversion of an optically active substance into an optically inactive mixture of equal annums of the decurorotatory and levorotatory forms. (1890–93; RACEM(K) + - (ZATION)

RACLINIC:) + CZATION)

FIG. - MOSS (735° MOSS). adj. 1. Bot. bearing or arranged in the form of a raceme. 2. Anat. resembling a bunch of grapes. [1690–1700: < L. racemes full of clusters, clustering. See RACLINE. - OSE']

FIG. ROTH FIRST. In. the process of statistically adjusting the scores of minority job applicants on job-qualification tests by rating each test-cater's score against the results of others in his or her raclar or ethnic group. [1991]

group. [1991]
raper (ra/sor). n. 1. a person, animal, or thing that races or takes part
in a race. 2. anything having great speed. 3. any of several slender, acthe snakes of the genera Coulder and Masticophis. (1640-50)
race-trained (ras/nur/ar). n. a whiptal stant, Cremidophorus serlinealus, common in the eastern and central U.S., that runs with great
speed. (1640-50)

speed. (1640-50)
[sco-track (risz-trak/), n. 1. a plot of ground, usu. oval, late out for torse racing. 2 the course for any race. (1655-60)
[sep/ walk/ing, n. the sport of rapid walking, in which one foot must be in contact with the ground at all times. (1950-55] —race/-walk/, k__walked, -rack/-walk/er, n.
[sco-waty (risz-\wid), n. 1. a racetrack on which harness races are held.
2. a charmed for protecting and hodding electrical wires. [1620-50]

gaiched (ra/chai), n. Jacob's favorite wife, the mother of Joseph and geniamin. Gen. 29-35.

Benjamin. Cert. 29-35.

rechie (rē/ds). n., pt. re-chis-es, rechi-des (rek/) d2y/, rā/d-). 1, any of various extal structures of a plant, as the stem of a leaflet. 2, the part of the shall of a feather bearing the web. See Illus, at reamen, 3, sevens, cause. (1775-65; < fl. < (it. nischts spine, ridge, backborne) re-chi-dis (re kirlis), n. secers. (1720-30; < fl. < (it. kirlis), at (it. line), reserve. (1720-30; < fl. < (it. kirlis), at (it. line), reserve. (1720-30; < fl. < (it. line), at (it. line), reserve. (1720-30; < fl. < (it. line), at (it. line), reserve. (1720-30; < fl. < (it. line), at (it. line), reserve. (1720-30; < fl. < (it. line), at (it. line), reserve. (1720-30; < fl. < (it. line), reserve. (1720-30; < fl. < (it. line), at (it. line), reserve. (1720-30; < fl. < (it. line), reserve. (1720-30; < fl. line), reserv

n serges was an employer. The service of the rece of the reces of the recessions. (1860–65) — re-clai-by, adv. re-clai-istn (rā-she lib-em), n. races. [1905–10] — re-clai-tst, n., adj. Racino (rā-shr), ra- for i, ra- sērv, rā- for 2), n. 1. Jaan Baptista, 1639–99, Prench dramalist. 2. a city in St. Wisconsin. 87,510.

rac/ing form/, n. a sheet that provides detailed information about horse races, including data on the horses, jockeys, etc. [1949-50]

page races, we thereign data on the tensors, proceeding, etc. [1995-00] racejam (8794) am, n. 1. a beset or doctrine that inherent differences among the various human races determine cultural or individual achievement, usu, involving the idea that one's own race is superior. 2. a policy, gatem of government, etc., based on such a doctrine. 3. hatred or includenance of another race or other races. [1865-70; < P ractame. See

again or government, etc., beson on such a doctorne. A natived of Intolerance of sending rises or other times. [1865-70; < P ractorne. See sust, -mm) — ractorne, etc. or other times. [1865-70; < P ractorne. See sust, -mm) — ractorne, etc., and the ractorne of the sust of bars, pegs, etc. on which printites are arranged or deposited; a clothes rack. 2. a framework set up on a vehicle to carry loads. A. a. a triangular wooden frame in which balls are arranged before a game of pool. b. the balls so arranged. B. Mach. a. a bar, with teeth on one of its sides, adapted to orgage with the toeth of a philon (rack and philon) or the like, as or comerting circular into rectilinear motion or vice versa. b. a bar having a soites of notches engaging with a pawl or the like, 6. a former instruent of torture motion; or vice versa. b. a bar having a soites of notches engaging with a pawl or the like, 6. a former instruent of torture motion; or vicitim eas slowly stretched. 7. a cause or state of intense suffering of body or mind. 8. violent strain. 9. a pair of states. —v.l. 10. to torture: distress acutely: torment. 11. to strain in metal effort to rack one's brains. 12. to strain by physical force or violenc. 13. to stretch the body of (a person) on a rack. 14. rack up, a. Rod. to put (like balls) in a rack. b. to gain, achieve, or score: The new sare is racking up profits. [1250–1300; HE rable, rekke (n.) < MD racking is profits. [1250–1300; HE rable, rekke (n.) < MD racking is profits. (rak), n. wreckage or destruction; wrack: to go to rack and niln. (1900–1600; var. of wnack!)

(1590-1600; var. of wrack!)

rack' (rad), n., v., reacked, reaching. —n. 1. the last pace of a horse in with the legs move in lateral pairs but not simultaneously. —v.l. 2. (of horses) to move in a rack. (1570-60; perh. alter. of noon!)

rack' (rat), n., v., reacked, rack-ing. —n. 1. a group of drifting courds. —v.l. 2. to drive or move, esp. before the wind. (1350-1400; ME rak)

rack' (rat), v.t., racked, rack-ing. to draw off (wine, cider, etc.) from the legs. (1425-73; late. ME < OF; cf. obs. F raqué (of wine) pressed from the dregs of grapes)

rack' (rab), n. 1, the neck portion of mutton, pork, or veal. 2. the rib section of a foresandre of lamb, veal. etc. (1560-70; orig. uncert.)

rack' (rab), n., v. etc., etc., etc., —n. 1. a loud noise or clamor.

rich and pin-form. In. See under Rack! (def. Sa).

(activelt (rativil), In. IV. set-ed. set-ling. —I. 1. a loud noise or clarmor, esp. of a dishurbing or confusing kind; din; upmar. Z. social excitement, sizely, or dissipation. 3. an organized illegal activity, such as the extortion of money by threat or violence. 4. a dishonest scheme, business, athly, etc. 5. Samp, a. an occupation, heilibood, or business. A many or profitable source of invellence. —I. 6. to make a racket or rose. 7. to take part in social gainty or dissipation. (1555-65; metablet var. of dial. rattick; see nature) —Sym. See noise.

(Rehest (rak/ll), I. 1. a light best having a netting of catigut or nylon stettled in a more or less oval frame and used in tennis. badminton to. 2. the short-handled paddle used to strike the ball in table tennis and paddle tennis. 3. reachest, (used with a sing. IV.) sucquart (for def. 1). 4. is sociation made in the form of a tennis racket, laso, reachest (for def. 1). 4. is sociation of the land)

1. (1490-1500) < Mir raquette, rachette, perm. < Ar filter, var. of six perms of the hard)

1. (1400-1500) < Mir raquette, rachette, perm. < Ar filter, var. of six perms of the hard)

Signal or organized illegal activity, as extention. —v./. 2. to engage in Gracket (1925-30, Amer.)

return (rak/ to), adj. 1. making or causing a racket: notsy. 2. fond

rack/ rall/way, n. cos man.wav. (1880-85) rack/-rent/, n., v., -rent-ed, -rent-ing. --n. 1. Also, rack/ rent/. rent equal to or nearly equal to the full annual value of a property. --v.4. 2. to exact the highest possible rent for. 3. to demand rack-rent from. (1600-

10) — rack/-rent/er, n.
ra-clette (rii klet/, ra-), n. a Swiss dish of melted cheese served with boiled potatoes. (1930–35; < r)

bossed positions. [1930-35; < r]
ra-con (r8/kon), n. share seacon. [1940-45, Amer.: ra(dar bea)con]
ra-con-tour (rak/on titr. -tbbr. -en-), n. a person who is called in rebiting stories and anecdotes interestingly. [1820-30; < r, = racont(cr)
to tell (OP r(e)- RE- + aconter to tell, account) + -eur -tus)
ra-coon (ra kisin/), n. pl. -coons, (esp. colectively) -coon. saccoon.
ra-coon (ra kisin/), n. 1. recounts, (used with a sing. v.) a game played
with rackets and a ball by two or four persons on a four-walled court. 2.
sacket? (defs. 1, 2, 4), (sp. var. of RACKET?]

rac-quet-ball (rak/lt bôl/), n. a game similar to handball, played with rackets on a four-walled court. [1963-70]

recy (r3's2), adj., recter, rectest. 1. slightly improper or indelicate; suggestive; risqué. 2. vigorous; lively; spirited. 3. sprightly; piquard; pungent: a racy merany side. 6. having an agreeably peculiar taste or flavor, as wine or fruit. [1649-55]—rec/lip. adv.—rec/limess. n.

rad' (rad). n. Physics: a unit of absorbed dose equal to 0.01 Gy. Compare oose (def. 4). [1915-20; shortening of ramantoh] rad' (rad), n. 1. Imformal a radical.—adj. 2. Slang. fine; wonderful. [1820-30; shortening of ramant)

red. Math. radian. red., Math. 1. radical. 2. radix.

rada. (18/dair), n. a device or system for determining the presence and tocation of an object by measuring the direction and timing of radio waves. (1940-45, Amer.; ra(dio) d(etecting) a(nd) manging)) radar astronomy that uses radar to map the surfaces of planetary bodies, as the moon and Verus, and to determine periods of rotation. [1955-60] radar bead-only n. a radar device at a fixed tocation, used as a naw-gational sid. (1940-45) radar sead-only n. the viewing screen of radar equipment. [1945-50]

ad-die¹ (rad/1), v.i., -died, -diing, to interweave; wattle. [1665-75; v. use of raddle tath < Af reidele pole, rati (OF redalle, cf. F ridelle)]

rad-die (rad/), v.i., -died. -dies. to intervesive; watte. [1665-75; v. use of raddle tath < Af reidele pote. rati (OF raddle; cf. F ridelle))
rad-die (rad/), n. subous.
rad-die (rad/) in the direction of a radius; going from the center outward or from the circumference brward along a radius; a radial cut. 3. of, like, or pertaining to a radius or a radius or a radius or a sibated near the radius of the forcame. 6. atting along or in the direction of the rad-dius of a circle: radius motion. —n. 6. a radius section, part or structure.
7. Radial net. [1560-70; < Ni. rad/lile = L. radius). beam. ray (see Radius) + -3lis -a. | —rad/diele/y, adv.
ra/diel en/ging, n. an Internal-combustion engine traving the cylinders amanged in radial opposition, found mainly on order alro-all. [1905-10] ra/diel ker-e-tot/o-my (her/e tot/e mil), n. a sangkat technique for correcting nearstynitedness by making a series of spubelles indisions in the comes to change its states and focusing properties. [1975-80] ra/diel saw/, n. a cantitevered circular saw adjustable at various angles to the tength of the work and to the perpendicular. (1950-55) ra/diel saw/metry, n. a basic body plan in which the organism can be divided into similar fishes by passing a plane at any angle along a central axis. Compare seatrans, symmetry. [1883-90] ra/diel tire/, n. a motor-vehicle tire in which the placs or cords nun from one bead to the other at right angles to both beads. Set illus, at mar/. [1965-70] ra-dien (ra/die en), n. the measure of a central angle subterning an accurate to teath to the purple environment of a server to teath of the the organism can be the perturb environment of a server to teath of the the organism can be a to the other at right angles to both beads. Set illus, at the purple environment of a server to be the teath of the other at right angle

row one bear to the over at high singles to don't east. See that has? [1965-70]

ra-di-an (1942 on), n. the measure of a central angle authending an arc equal in length to the radius: equal to 57.2958°. Abbr.: rad (1875-80)

ra-di-ante (18762 ons) also ra/di-an-by, n. 1. radiant brightness or light. 2. warm, cheerful brightness. [1595-1603]

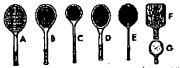
ra-di-ant (16762 ons), stl. 1. emitting rays of light: shiring; bright. 2. bright with joy, hope, etc. 8. Physics, emitted or propagated by radiation.—n. 4. a point or object from which rays proceed. [1400-50; size ME < 1. radiant., s. of radiatios, type, of radiation beam, ray (see authus); see -arry —-ra/di-antelly, adv. ra/diant envergy, n. 1. energy transmitted in wave motion, esp. electromagnetic wave motion. 2. upur' (def. 2a). [1910-15]

ra/diant hast', n. the time rate of flow of radiant energy. [1919-20]

ra/diant hast', n. heat energy transmitted by electromagnetic waves in contrast to heat transmitted by conduction or convection. [1500-10]

ra/diant hast'ing, n. 1. the means of heating objects or persons by radiation in which the interventing air is not heated. 2. a system for heating by radiation from a surface, esp. from a surface heated by means of electric resistance, hot water, etc. [1910-15]

racket (defs. 1, 2) A, tennis: B, court tennis: C, squash; D. squash tennis: E. bedminton



ra-di-ata (v. ra/dē 8t/: adj. -it. -5t/), v., -at-ad, -at-ing, adj. -v.l. 1. to extend, spread, or move like rays or radil from a center. 2. to emit rays, as of light or heat; irradiate. 3. to issue or proceed in rays. 4. (of persons) to project or glow with cheenfulness, joy, etc. -v.t. 5. to emit rays; disseminate, as from a center. 6. (of persons) to project (joy, goodwill, etc.). --adj. 7. radiating from a center. 8. having rays extend-

PROMUNICIATION KEY: BCL CRIPE, GRIPE, pRITL SCL, EVEN; LL ice; ∞ , $n\bar{s}$, $f\bar{s}r$, oll, $b\bar{s}b\bar{s}l$, out: up, 0: ge; child; sing: shoe; thin, that; zh in treasure. $\theta=a$ in alone, e in llem, l in easily, o in gallop, u in circus. * In fire (f^*r) , four (ou^*r) .

PAGE 15/27 * RCVD AT 3/31/2004 5:30:25 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:513 489 6030 * DURATION (mm-ss):12-32

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Of scrapian to scratch (which it in part replaces); (n.) late ME: scraper,

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scr. or the v.] — scrap*er, n. spile of old, discarded material, as metal. (1830-40) erap*is (skrap*e. skrap*e), n. an intentious, usu, fatal brain disease of sheep, characterized by britching of the neck and head, grinding of the teath, and scraping of itching portions of skin against fixed objects. [1905-10]

[1905-10] scrap-ing (stra-ping), n. 1. the act of a person or thing that scrapes. 2. The sound of something being scraped. 3. Usu:, scrapings. something that is scraped off, up. or together. [1400-50] ccrap-par (strap-par, n. Intornal, a person who is always ready and eager for a fight or argument. [1870-75] scrap-pio (strap-pa), n. commeal mush combined with ports bits, seasoned, and sticed for frying. (1850-55, Amer.; appar. scrap-) + -us as time -umbit.

ecrap-py¹ (skrap-e), adj., -pi-er, -pi-est. made up of scraps or of odds and ends; fragmentary: disconnected. (1830-40) —ecrap-pi-ly, adv.

dim. Suffix)
scrap-pyl (skrap/e), adj., -pl-er, -pl-est, made up of scraps or of odds and ende; fragmentary: disconnected. [1630–40] —ccrap/pl-hy, adv. —exap/pl-hyss. n.
scrap-pyl-ness. n.
scrap-pyl-ness. n.
scrap-pyl-ness. n.
scrap-pyl-ness. n.
scrap-pyl-ness. n.
scrap-pyl-(skrap-f), adj., -pl-er. -pl-est. Informal. forid of fighting or arguing. [1690–95. Amcr.]
scratch (skrach). v. scratchied, scratchieng. n., adj. —v.t. 1. to break, mar, or mark the surface of by nubbing, scraping, or tearing with something sharp or rough. 2. to remove with a scraping or tearing action. 3. to rub or scrape slightly, as with the fingernalis, to releve tiching. 4. to rub or draw along a rough, grating surface. 6. to strike out or cancel (something written) by or as if by drawing a line through it. 6. to withdraw (an entry) from a race or contest. 7. s. to strike out the name of (a candidate) on a party ticket, white predominantly supporting the ticket. b. to reject a particular candidate on (a party ticket). 6. to write or draw by cutting into a surface. 9. to manipulate (a phomograph record) back and forth under the stylus to produce rhyllintic sounds. —v.i. 10, to use the ralls, claws. ctc., for tearing, digging, etc. 11. to releve teching by rubbing with the ralls, etc. 12. to make a slight grating noise; scrape. 13. to earn a living or get along with difficulty. 14. to withdraw from a race or contest. 15. (in certain card gaines) to make no score; earn no points. 16. Billiards, Fool. to make a shot that results in a penalty, csp. to pocket the cue ball without hitting the object ball: —n. 17. a slight injury, mar, or mark caused by scratching. 18. a rough mark made by a pen, pencil, etc.; scrawl. 19. the act of scratching. 20, a slight grating sound produced by scratching. 21. the starting place, satisfing or a competitor in a handicap who has no allowance and no penalty. 22. Billiards, Pool. a. a shot resulting in a penalty. b. a fluite or budy shot 22. (in certain card games) a score of zero; nothing. 24. Strig. mass. -

skraz wood-demon]
scratch/board (skrach/bond/, n, a cardboard coated with impermeable write day and covered by a layer of ink that is scratched or scraped in patterns revealing the surface below. [1925-30]
scratch-es (skrach-tz), n, (used with a sing, v.) a disease of horses marked by dry rits or craps that appear on the legs. [1605-15]
scratch/shoet/, n, a publication giving betting odds and other information on horse races. [1935-40, Amen]
scratch/bost/, a a test for an alternal in which the skin is scratched

mation on horse races. (1935-40. Amer.) scretch? tast/, n. a test for an altergy in which the skin is scratched and an altergen applied to the area. [1935-40] scretch? (skrach?), adj., scretch-er, scretch-est. 1. causing a slight grating noise. 2. consisting of or marked by scratches a scratchy drawing. 3. uneven: haphazard: *Re pays a scratchy game. 4. causing a table to cause a scratch or minor initiation. [1700-10] —scretch?—saw. —scratch?—nass. n. screening application.

any.—ecratch/insus, n.

ccrawi (skrill), v., scrawied, ecrawing, n.—v.t. 1. to write or draw in a spreading, andward manuro:—v.l. 2. to write awayardly, carelessly, or illegibly.—n. 3. awayard, careless, or illegible handwriting. 4. something scrawing. [1605-15; perh. to be identified with late MS scrawing to high scrawing scrawing. adj. scrawing. accrawing. n.—ecrawing. adj. scrawing. (skrill) adj. scrawing. carewing. Norw skran lean + -vi. -scrawing. n.—scrawing. n.—v.l. 1. to screen. 2. to scrawing. n.—v.l. 1. to screen. 2. to

-scrawn micros. n.
scrask (skrel), v., scrasked, scrask-ling. n. —v.l. 1. to screech. 2. to
crask. —n. 8. a screech. 4. a crask. [1400–1500; < Scand; cf. Norw sknike, Dan skrige, akin to ON skrækjo to screech; cf. sentick)
—scrask/v. skl.

-ecreativy, adj.

Cream (ske'm), v. screamed, acreaming, n. —v.l. 1. to latter a load, sharp, piercing cry. 2. to emit a shrill, plercing sound. 3. to loagh immoderately or uncontrollably. 4. to shout or speak shrilly, 8. to be constituted or shartling. —v.l. 6. to latter with or as if with a scream or screams. 7. to make by screaming to scream oneself hourse. —n. 8. a loud, sharp, piercing cry. 9. a shrill, piercing sound. 10. Information or something that is hillarously hunry. (1150-1200; ME screamen (v.). Of **Screamen** (skriemen, altin to Oh **skriumi** chalterbox, braggart, struma to jabber: sc. (for regular sh- as in ME streame) from obs. scritch to scatter)

Screamen (skriemen). n. 1. a person or thing that screams. 2. Infor-

scritch to seatter)
scream-or (skr@mar), n. 1. a person or thing that screams. 2. Informal, something or someone causing screams of excitament, bughter, or the like. 3. a sensational headline printed in very large type. 4. any of several targe, heavy-legged South American birds of the tamily Anhimidee, akin to geese and ducks, with harsh, far-carrying calls. [1705-15] stream-sing (skr@mind) adj. 1. uttering screams. 2. boldly striking or stretting screaming headlines. 8. causing hilarious laughter. [1550-1400] —scream/ing-ly, adv.
scream/ing-mass/miss (mi@miz), n. (used with a sing, or pl. v.) In-

formal, extreme nervousness; hysteria. (1925-50; redup), with alter, of SCREAMING; SEC -Y2, -8"]

scrap heap to scr w convey r

tatus. (1775-85; < ON starting landside)

solus. (1773-05): Uniserus grounded, screeching. n.—v.i. 1. to utter or make a harsh, shrill cry or sound.—v.t. 2. to utter with a screech.—n. 3. a harsh, shrill cry or sound. (1550-60; var. of obs. scritch to screem: akin to screechier. n.—ecreechier. odj., screechier.

scrosoh' ow/, n. any of several small flew World owls of the genus Ous, having homilike tuits of feathers, as O. asio. of E florth America.

screech* ow/. n. any of several small flew Words onts of the genus Outs, having homilike turks of feathers, 29 O. axio. of E. florth America. [1583-95]
screed (skred), n. 1. a long discourse or essay, esp. a diatrible. 2. an informal tetter, account, or other piece of writing. 3. a guide used in surfacing pasterwork or cement work. (1275-1325; MC screed tom fragment, kreg. (with sc- for sh-) repr. OE screade sares)
screen (skrein), n., v. screamed, soreen-ing. —n. 1. a movable or fixed device, usu. consisting of a covered frame, that provides shelter, serves as a partition, etc. 2. a permanent, usu. omamental partition, as around the choir of a church. 3. a specially prepared, light-reflecting surface on which motion pictures, slides, etc., may be projected. 4. motion pictures collectively or the motion-picture industry. 5. the part of a television or computer on which a picture is formed or information is displayed. 6. anything that shelters, protects, or conceals. 7. a frame indiving a mesh of wire, cloth, or plastic, for placing in a window or doorway, around a porch, etc., to admit all but exclude insects. 8. a sieve or other meshilike device used to separate smaller particles or objects from larger ones, as for grain or sand, 9. a system for screening or grouping people, objects, etc. 10. a body of troops sent out to protect the movement of an army. 11. a protective formation of small vessels, as destroyers, around a larger ship or ships. 12. a plate of ground glass or the like on which the limage is brought into focus in a camera before being photographed. 13. Irrition a glass plate on which have sets of intersecting lines have been elicited, used to make halftones. 14. (in sports) any of various interpeting plays or carties to protect a teammate with the ball or to obstruct an opponent. —v. 15. to shelter, protect, or conceal with or as if with a screen. 16. to setect, reject, consider, or group (people, objects, ideas, etc.) by examining systematically. 17. to provide with a screen or screens. 18. to si

or scrimmage. [1990–55]
screen-play (alver/pla). n. 1. the outline or full script of a motion picture; scenario. 2. Older Use. a motion picture. [1915–20]
screen* tast*, n. a filmed audition to determine the suitability of an individual for appearing or acting in a motion picture. [1920–25]
—screen*-tast*, v.l., v.l., -tast*-ad, -tast*-ing.
screen*-tast*, v.l., v.l., -tast*-ad, -tast*-ing.
screen*-tast*-add v.l., -tast*-ad, -tast*-ing.
screen*-tast*-add v.l., -tast*-ad, -tast*-ing.

Screen write-or (skreen/rivider). In a person who writes screenplays as an occupation. (1920-25)
screw (skreen). In., v., screwed, screwing. —In 1. a metal fastener having a lapered shank with a helical thread, and topped with a skotted head, driven into wood or the like by rotating, as with a screwdriver. 2. a threaded cylindrical rod, with a head at one end, that engages a threaded folie and is used as a fastener, claring, etc. Compare sout; (def. 1). 8. a tapped or threaded hole. 4. something having a spiral form. 5. sportuses (def. 1). 8. a single turn of a screw. 7. a twisting movement. 8. Birl. a a little salt, tobacto, etc., carried in a twist of paper. b. Stang. a debilitated horse. c. Stang. a miser. 9. Stang. a prison guard. 10. Stang (wilgar). a an act of secural intercourse. b. a sexual partner. —v.t. 11. to turn or eighten is screw). 12. to fasten or attach with or as if with a screw or screws. 13. to attach, detach, or adjust (a threaded part) by a twisting motion. 14. to operate or adjust by a screw, as a press. 19. to contact as by twisting; distort to screw one's face into a grimsoe. 18. to strengthen or intensity (usu. fol. by up: I screwed up my courage and stated for a Biss. 17. to coerce or thresten. 18. to extract or extort. 19. Stang. to cheat or take advantage of (someone). 20. Stang (wilgar) to have sexual intercourse. Mit. —v.t. 21. to become attached, detached, or adjusted by being twisted: The bottle top screws on. 22. Stang (wilgar), to have sexual intercourse. 23. screw around. Stang. a to vaste time. b. Wilgar, to be promisenous. 24. screw up. Stang. a, to ruin or capable of handling ome's life. —Idiom. 23. have a screwing. a to ruin or screw-ball (skroot-boty), n. 1. Stang. an eccentric or widty whimsted person; a took. 2. a pitched basebail that veets toward the side from which it was thrown. counter to the motion of a curve ball. —adj. 3. Stang. eccentric or whimsted: screwball ideas. (1925-30. Amer.) screw/ bean/ n. 1. a tree. Prosopis pubescens, or the tegume lamily, native t

PRONUMENTION KEY: act, cape, dare, part; set, Even; V_i ice; ax, nb, far, ot, box, box, ax, ax

PAGE 16/27 * RCVD AT 3/31/2004 5:30:25 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:513 489 6030 * DURATION (mm-ss):12-32



MAY 16, 2002

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ALFRED J. MANGELS 4729 CORNELL ROAD CINCINNATI, OHIO 45241-2433



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ASSIGNOR:

BERGER, REINHARD

DOC DATE: 01/17/2002

ASSIGNOR:

ESLY, NORBERT

DOC DATE: 02/21/2002

ASSIGNOR:

BUCKLER, JULIAN

DOC DATE: 02/12/2002

ASSIGNEE:

LUK LAMELLEN UND KUPPLUNGSBAU BETEILIGUNGS KG INDUSTRIESTRASSE 3

D-77815, BUHL, FED REP GERMANY

SERIAL NUMBER: 10010948

PATENT NUMBER:

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Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 1

Issue Dt: 09/21/1999 Application #: 08792512 Filing Dt: 01/31/1997 Patent #: 5954178

Inventors: ROBERT FISCHER, NORBERT ESLY, REINHARD BERGER, KARL-LUDWIG KIMMIG

Title: APPARATUS FOR ACTUATING AN AGGREGATE IN THE POWER TRAIN OF A MOTOR VEHICLE

Assignment: 1

Reel/Frame: 008467/0195

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Assignors: FISCHER, ROBERT

Exec Dt: 01/15/1997

ESLY, NORBERT

Exec Dt: 01/15/1997

BERGER, REINHARD

Exec Dt: 01/15/1997

KIMMIG, KARL-LUDWIG

Exec Dt: 01/15/1997

Assignee: LUK GETRIEBE-SYSTEME GMBH

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Corr spondent: DARBY & DARBY P.C.

HENRY STERNBERG

805 THIRD AVENUE, 27TH FLOOR

NEW YORK, NY 10022-7513

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Begi. Fotokopie

1 Urkundenrolle-Nr. 2187/91

Notariat Bühl/Baden

Referat

Offentliche Urkunde

über

Gesellscheftsvertrag

der

LuK Getriebe-Systeme GmbH mit dem Sitz in Bühl

612

Geschehen zu Bühl im Amtszimmer des Notariats am zehnten Dezember neunzehnhunderteinundneunzig

- 10. Dezember 1991 -

vor Notar Schilfarth, Notariat 1 Bühl.

Es ist erschienen und von Person bekannt:

Herr Helmut Beier, Robert-Koch-Straße 45, 7580 Bühl,

handelnd nicht im eigenen Namen, sondern als Bevollächtigter für die LuK Lamellen- und Kupplungsbau Gesellschaft mit beschränkter Haftung mit dem Sitz in Bühl aufgrund nachzureichender Genehmigungserklärung.

Der Erschienene erklärte:

Die LuK Lamellen- und Kupplungsbau Gesellschaft mit beschränkter Haftung errichtet hiermit eine Gesellschaft mit beschränkter Haftung und stellt den dieser Niederschrift als Anlage beigefügte Gesellschaftsvertrag fest.

Auf die Anlage wird verwiesen.

Die Gesellschafterin bestellt

a) Herrn Gunter Jürgens, Dipl.-Ing.

Am Pfrimmenacker 3 a, 7570 Baden-Baden-Neuweier,

und

b) Herrn Norbert Indlekofer, Dipl.-Ing., Am Bierkeller 8, 7580 Bühl-Altschweier,

jeweils zum Geschäftsführer. Sie vertreten die Gesellschaft jeweils gemeinschaftlich mit einem anderen Geschäftsführer

oder einem Prokuristen. Sie vertreten die Gesellschaft allein, falls sie all inige Geschäftsführer sind.

Der Notar wies den Erschienenen darauf hin,

- daß bei Eintragung der Gesellschaft im Handelsregister der Wert des Gesellschaftsvermögens (zuzüglich des Gründungsaufwandes) nicht niedriger sein darf als das Stammkapital und jeder Gesellschafter zur Leistung eines insoweit bestehenden Fehlbetrages verpflichtet ist,
- daß die Gesellschaft vor ihrer Eintragung in das Handelsregister nicht als Gesellschaft mit beschränkter Haftung besteht und daß persönlich haftet, wer vor Eintragung im Namen der Gesellschaft handelt und
- daß der Erwerb der Geschäftsanteile an der Gesellschaft der Gesellschaftssteuer unterliegt.

Schluß:

Beantragt werden:

- Ausfertigung für das Amtsgericht Baden-Baden Handelsregister -,
- 2. begl. Abschriften erhalten:
 - a) der Gesellschafter und die Gesellschaft je eine,
 - b) Kapitalverkehrssteuerstelle.

Diese Niederschrift nebst Anlage wurde vom Notar dem Erschienenen vorgelesen, von ihm genehmigt und eigenhändig wie folgt unterschrieben: ガンーの

Anlage zur Urkunde des Notariats 1 Bähl

- 1 UR (487 /91 -

Notar

Gesellschaftsvertrag

§ 1 Firma und Sitz der Gesellschaft

1. Die Firma der Gesellschaft lautet:

Luk Getriebe-Systeme GmbH

2. Sitz der Gesellschaft ist Bühl/Baden.

§ 2 Gegenstand des Unternehmens

- Gegenstand des Unternehmens sind die Entwicklung, die Herstellung und der Vertrieb von Geräten, Systemen und Anlagen von Antriebssystemen von Fahrzeugen.
- Die Gesellschaft ist berechtigt, Zweigniederlassungen im In- und Ausland zu errichten, sich an anderen Unternehmen zu beteiligen und alle Maßnahmen zu ergreifen, welche der Förderung des Gesellschaftszweckes dienlich sind.

§ 3 Stammkapital und Stammeinlagen

Das Stammkapital der Gesellschaft beträgt 100.000,-- DM (in

P23

Worten: einhunderttausend Deutsche Mark). Es besteht aus einer Stammeinlage in Höhe von 100.000,-- DM. Die Luk Lamellen- und Kupplungsbau Gesellschaft mit beschränkter Haftung übernimmt eine Stammeinlage in gleicher Höhe. Auf diese Stammeinlage ist ein barer Betrag in Höhe von 100.000, -- DM an die Gesellschaft eingezahlt.

s 4 Geschäftsführung

Die Gesellschaft hat einen oder mehreren Geschäftsführer, die durch die Gesellschafterversammlung bestellt und abberufen werden. Ist nur ein Geschäftsführer bestellt, so vertritt dieser die Gesellschaft allein. Sind mehrere Geschäftsführer bestellt, so wird die Gesellschaft durch zwei Geschäftsführer gemeinsam oder durch einen Geschäftsführer gemeinsam mit einem Prokuristen vertreten. Die Gesellschafterversammlung kann auch bei Vorhandensein mehrerer Geschäftsführer einzelnen oder allen von ihnen Alleinvertretungsbefugnis erteilen. Sie kann Geschäftsführer von den Beschränkungen des § 181 BGB befreien.

§ 5 Geschäftsjahr

Das Geschäftsjahr der Gesellschaft ist das Kalenderjahr. Das erste Geschäftsjahr beginnt mit der Eintragung der Gesellschaft in das Handelsregister und endet mit dem darauf folgenden 31. Dezember.

§ 6 Jahresabschluß

Die Geschäftsführer haben innerhalb der gesetzlichen Frist

- 3 -

des Geschäftsjahres die Bilanz für das verflossene Geschäftsjahr nebst Gewinn- und Verlustrechnung vorzulegen.

. \$ 7 Bekanntmachungen

Soweit nach dem Gesetz Bekanntmachungen der Gesellschaft zu veröffentlichen sind, erfolgen sie nur durch den Bundesanzeiger.

§ 8 Gründungsaufwand

Den gesamten Gründungsaufwand trägt die Gesellschaft bis zu einem Höchstbetrag von 5.000,-- DM.



JULY 29, 2002

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Chief Information Officer Washington, DC 20231 www.uspto.gov

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LUK LAMELLEN UND KUPPLUNGBAU GMBH DOC DATE: 01/16/2001

ASSIGNEE:

LUK LAMELLEN UND KUPPLUNGSBAU

BETEILLIGUNGS KG

INDUSTRASSE 3

BUHL, FED REP GERMANY D-77815

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No. of		a) Name of Company b) Place of establishment (registered offices) c) Purpose of the Company (for legal entities)	½ -	Propriator, General Partners, Management Board, Liquidators	Procu	Procuration			rega .	Legal Status			a) Date of Entry and Signature b) Remarks
-		2		3						2			9
-	a) LuK Lan	a) LeK Lamellen und Kupplungs-	╆	Company "Luk			Unitled partnership.	ership.					a) 16 January 2001
	89 Ped (a	Dav Berengungs K.S. Bohi		Deuschland Bekeillernige KG* with registered offloes in Bühi			Created eccordin form-converting r Gesellschaft mit Court of Baden-B December 2000.	oding to s. 1; ing reorganis mit beschrär en-Baden His XXX.	90f of the Ge atlon of the or litter Haffung' 18 15-8H) du	riman Reorgan ompany "Luk I " with registere a to a reorgani	Created eccording to s. 1901 of the German Reorganisation Act (UrmvG) by form-converting reorganisation of the company "Luk LumeBen und Kupplungsbau Gesellschaft mit beotherheinMar Haflung" with registered offices in Buhi (Local Courl of Baden-Baden HRB 15-BH) due to a reorganisation resolution of 28 December 2000.	WG) by pptlengsbau (Cocal	b) Special woltme AS 1-29 phG-GmbH LC Baden-Baden HRA 1094 8H
				·			The company genisation Ar Verweitungs	y commende ct (UmwG). 1 geselfschaft!	d on 16 Jamus The limited par mbH 80hi" wi	ary 2004, s. 20 rtner is the cor th a contribution	The company commenced on 16 January 2004, s. 2021 t of the German Reci- ganisation Act (UmwG). The limited partner is the company "Luk Automolive Verwaltungsgesettschaft mbH 9th " with a contribution of1,000,000 euros	nan Reor- omolive O,000 euros	Limited partner Local Count of Baden-Baden HRB 1126-BH formerly LC Baden-Baden HRB 15-BH
6				Company "Luk Lameken und Kupplungs hau Betellgungs KG" With registered offices in Bühl			The compan joined the co	y "LuK Mana mpany ab a [The company "LuK Managerfen! GmbH oined the company as a general párther.	H* with regists it.	The company "Luk Management GmbH" with registered offices in BUN has joined the company as a general parther.	IN has	a) 27 March 2001 Signature b) Special volume AS 31-4f phS LC Baden-Baden LDB 1199-191
			·	Company Tulk Maragement Gmbh" with registered offices in 94thl									
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